Die Sabbathi; 20. Januarii. 1649.

Lieutenant General Hammond, *Colonel* Okey, *and other Officers of the Army, this day presented a* Petition *to the House, with a Draught of* The Agreement of the People. *The Petitioners being called in, Mr* Speaker, *by Command of the House, gave them this Answer.*

GENTLEMEN,

YOu the Officers of the Army, sent by the Lord General, and the Officers of the Army, unto this House with this *Petition*: The House hath read your *Petition*; and for the *Agreement*, presented therewith, the House hath commanded me to tell you, They have resolved to take the same into their Consideration, with what possible speed the necessity of the present weighty and urgent affairs will permit. They have commanded me likewise to tell you, they finde these good Affections and serious Representations made in your *Petition*, that they have Ordered it to be printed. I am likewise commanded to tell you, That this House doth take notice of your faithful and great Services to the Kingdom, in standing in the Gap for their Preservation; and commanded me to give hearty Thanks to the Lord General, and the Officers of the Army, for these good Services, and the good Affections you have herein expressed; And I do, in their name, give the hearty Thanks of this House to the Lord General, and to you, and the rest of the Officers of the Army, for their good Affections, great Services, and cordial Expressions.

Hen: Scobel, Cler. Parl. Dom. Com.

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A PETITION

FROM

His Excellency Thomas Lord Fairfax

And the

General Councel of Officers of the ARMY,

To the Honorable the

COMMONS of *ENGLAND*

in PARLIAMENT assembled,

Concerning the Draught of An

AGREEMENT of the *PEOPLE*

For a secure and present PEACE,

by them framed and prepared.

Together with the said AGREEMENT presented *Saturday*, *Jan.* 20.

And a DECLARATION of his Excellency and the said General Councel, concerning the same.

Tendred to the Consideration of the PEOPLE.

BY *the Appointment of the Generall Councel of Officers of the Army.* Signed,

JOHN RUSHVVORTH, Sec.

LONDON,

Printed for *John Partridge*, *R. Harford*, *G Calvert*, and *G. Whittington*. MDCXLIX.

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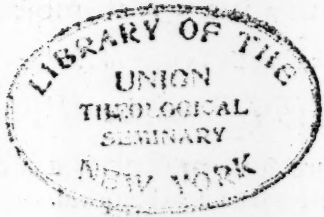
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To the honorable the Commons of ENGLAND in Parliament assembled;

The humble Petition of his Excellency Thomas *Lord* Fairfax, *and the General Councel of Officers of the Army under his Command, concerning the Draught of* An Agreement of the People, *by them framed and prepared.*

IN our late Remonstrance of the 18 of November last, we propounded (next after the matters of publike Justice) some Foundations for a general settlement of Peace in the Nation, which we therein desired might be formed and Established in the nature of a generall Contract or Agreement of the People; and since then, the matters so propounded be wholly rejected, or no consideration of them admitted in Parliament (though visibly of highest Moment to the Publique) and all ordinary Remedies being denyed, we were necessitated to an extraordinary way of Remedy; whereby to avoyd the mischiefs then at hand, and set you in a condition (without such obstructions or diversions by corrupt Members) to proceed to matters of publique Justice and general Settlement. Now as nothing did in our own hearts more justifie our late undertakings towards many Members in this Parliament,

then the neceſſity thereof in order to a ſound Settlement in the Kingdom, and the integrity of our intentions to make uſe of it only to that end: ſo we hold our ſelves obliged to give the People all aſſurance poſſible, That our oppoſing the corrupt cloſure endeavoured with the King, was not in deſigne to hinder Peace or Settlement, (thereby to render our employments, as Souldiers, neceſſary to be continued,) and that neither that extraordinary courſe we have taken, nor any other proceedings of ours, have been intended for the ſetting up of any particular Party or Intereſt, by or with which to uphold our ſelves in Power and Dominion over the Nation, but that it was and is the deſire of our hearts, in all we have done, (with the hindering of that imminent evil, and deſtructive conjunction with the King) to make way for the ſettlement of a Peace and Government of the Kingdom upon Grounds of common Freedom and Safety: And therefore becauſe our former Overtures for that purpoſe (being only in general terms, and not reduced to a certainty of particulars fit for practiſe) might poſſibly be underſtood but as plauſible pretences, not intended really to be be put into

effect

effect, We have thought it our duty to draw out these generals into an intire frame of particulars, ascertained with such circumstances as may make it effectively practicable. And for that end, while your time hath been taken up in other matters of high and present Importance, we have spent much of ours in preparing and perfecting such a draught of Agreement, and in all things so circumstantiated, as to render it ripe for your speedier consideration, and the Kingdoms acceptance and practise (if approved,) and so we do herewith humbly present it to you. Now to prevent mis-understanding of our intentions therein, We have but this to say, That we are far from such a Spirit, as positively to impose our private apprehensions upon the judgments of any in the Kingdom, that have not forfeited their Freedom, and much lesse upon your selves: Neither are we apt in any wise to insist upon circumstantial things, or ought that is not evidently fundamental to that publique Interest for which You and We have declared and engaged; But in this Tender of it we humbly desire,

1. *That whether it shall be fully approved by You and received by the People (as it now stands) or not,*

it may yet remain upon Record, before you, a perpetual witness of our real intentions and utmost endeavors for a sound and equal Settlement; and as a testimony whereby all men may be assured, what we are willing and ready to acquiesce *in; and their jealousies satisfied or mouths stopt, who are apt to think or say, We have no bottom.*

2. *That (with all expedition which the immediate and pressing great affairs will admit) it may receive your most mature Consideration and Resolutions upon it, not that we desire either the whole, or what you shall like in it, should be by your Authority imposed as a Law upon the Kingdom, (for so it would lose the intended nature of* An Agreement of the People,) *but that (so far as it concurs with your own judgments) it may receive Your Seal of Approbation only.*

3. *That (according to the method propounded therein) it may be tendred to the People in all parts, to be subscribed by those that are willing, (as Petitions, and other things of a voluntary nature, are;) and that mean while, the ascertaining of those circumstances, which it refers to Commissioners in the several Counties, may be proceeded upon in a way preparatory to the practise of it: And if upon the Account of subscriptions (to be returned by those Commissioners in* April *next) there appear to be a general or common Reception of it amongst the People, or by the well-affected of them, and such as are not obnoxious for Delinquency; it may then take place, and effect according to the Tenor and Substance of it.* *And Your Petitioners shall pray, &c.*

WHITEHALL *Jan.* 15. 1649. By the Appointment of his Excellency, and the general Council of Officers of the Army.

Jo: RUSHVVORTH *Secr.*

AN AGREEMENT OF THE PEOPLE OF ENGLAND,

And the places therewith INCORPORATED,

For a ſecure and preſent Peace, upon Grounds of Common Right, Freedom and Safety.

HAving by our late labors and hazards made it appear to the world at how high a rate we value our Juſt Freedom, And God having ſo far owned our cauſe as to deliver the Enemies thereof into our hands, We do now hold our ſelves bound in mutuall duty to each other to take the beſt care we can for the future, to avoyd both the danger

ger of returning into a slavish condition, and the chargeable remedy of another War: For as it cannot be imagined, That so many of our Country men would have exposed us in this Quarrell, if they had understood their own good, so may we hopefully promise to our selves, That when our Common Right and Liberties shall be cleared, their endeavors will be disappointed, that seek to make themselves our Masters, since therefore our former oppressions, and not yet ended troubles, have been occasioned, either by want of frequent National Meetings in Councel, or by the undue or unequal Constitution thereof, or by rendering those meetings ineffectual. We are fully agreed and resolved (God willing) to provide, That hereafter our Representatives be neither left to an uncertainty for time, nor be unequally constituted, nor made useless to the ends for which they are intended.

In Order whereunto We Declare and Agree;

1. That to prevent the many inconveniencies, apparently arising from the long continuance of the same persons in supream Authority, this Present Parliament end and dissolve upon, or before the last day of *April*, in the year of our Lord. 1649.

2. That the People of *England* (being at this day very unequally distributed, by Counties, Cities and Burroughs, for the Election of their Representatives) be indifferently proportioned: And to this end, That the Representative of the whole Nation shall consist of four hundred persons, or not above; and in each County, and the places thereto subjoyned, there shall be chosen, to make up the said Representative at all times, the several numbers here mentioned; *VIZ.*

In

In the County of *Kent*, with the Burroughs, Towns, and Parishes therein (except such as are hereunder particularly named)	ten.	10
The City of *Canterbury*, with the Suburbs adjoyning, and Liberties thereof,	two.	2
The City of *Rochester*, with the Parishes of *Chatham* and *Strood*,	one.	1
The Cinque Ports in *Kent* and *Sussex*, *viz.* *Dover*, *Rumney*, *Hyde*, *Sandwich*, *Hastings*, with the townes of *Rye* and *Winchelsey*,	three.	3
The County of *Sussex*, with the Burroughs, Towns and Parishes therein (except *Chichester* and the Cinque Ports)	eight.	8
The City of *Chichester*, with the Suburbs and Liberties thereof,	one.	1
The County of *Southampton*, with the Burroughs, Towns and Parishes therein, except such as are hereunder named,	eight.	8
The City of *Winchester*, with the Suburbs and Liberties thereof,	one.	1
The County of the town of *Southampton*,	one.	1
The County of *Dorset*, with the Burroughs, Townes and Parishes therein (except *Dorchester*)	seven.	7
The Town of *Dorchester*,	one.	1
The County of *Devon*, with the Burroughs, Towns and Parishes therein, except such as are hereunder particularly named,	twelve.	12
The City of *Exeter*,	two.	2

The Town of *Plymouth*,	two.]	2
The Town of *Barnstaple*,	one.]	1
The County of *Cornwall*, with the Burroughs, Towns, and Parishes therein,	eight.}	8
The County of *Somerset*, with the Burroughs, Townes and Parishes therein, except such as are hereunder named,	eight.}	8
The City of *Bristoll*,	three.]	3
The Towne of *Taunton-Deane*,	one.]	1
The County of *Wilts*, with the Burroughs, Towns and Parishes therein (except *Salisbury*,	seven.}	7
The City of *Salisbury*,	one.]	1
The County of *Berks*, with the Burroughs, Towns and Parishes therein, except *Reading*,	five.}	5
The Town of *Reading*,	one.]	1
The County of *Surrey*, with the Burroughs, Towns, and Parishes therein, except *Southwarke*,	five.}	5
The Burrough of *Southwarke*,	two.]	2
The County of *Middlesex*, with the Burroughs, Towns, and Parishes therein, except such as are hereunder named,	four.}	4
The City of *London*,	eight.]	8
The City of *Westminster*, and the *Dutchy*,	two.]	2
The County of *Hartford*, with the Burroughs, Towns, and Parishes therein,	six.}	6

The

The County of *Buckingham* with the Burroughs, Towns and Parishes therein,	six.	6
The County of *Oxon*, with the Burroughs, Towns, and Parishes therein (except such as are here undernamed)	four.	4
The City of *Oxon*,	two.	2
The University of *Oxon*,	two.	2
The County of *Glocester*, with the Burroughs, towns and Parishes therein (except Glocester)	seven.	7
The City of *Glocester*,	two.	2
The County of *Hereford*, with the Burroughs, towns, and Parishes therin (except *Hereford*)	four.	4
The Citie of *Hereford*,	one.	1
The County of *Worcester*, with the Burroughs, towns, and Parishes therein (except *Worcester*)	foure.	4
The City of *Worcester*,	two.	2
The County of *Warwicke*, with the Burroughs, townes, and Parishes therein (except *Coventrey*)	five.	5
The City of *Coventrey*,	two.	2
The County of *Northampton*, with the Burroughs, towns and Parishes therein (except *Northampton*)	five.	5
The Town of *Northampton*,	one.	1
The County of *Bedford*, with the Burroughs, townes, and Parishes therein,	foure.	4

The County of *Cambridge*, with the Burroughs, towns, and Pariſhes therein (except ſuch as are here under particularly named)	foure.	4
The Univerſity of *Cambridge*,	two.	2
The Town of *Cambridge*,	two.	2
The County of *Eſſex*, with the Burroughs, towns, and Pariſhes therein (except *Colcheſter*)	eleven.	11
The Town of *Colcheſter*,	two.	2
The County of *Suffolk*, with the Burroughs, Towns, and Pariſhes therein (except ſuch as are hereunder named)	ten.	10
The Town of *Ipſwich*,	two.	2
The Town of *S. Edmonds Bury*,	one.	1
The County of *Norfolk*, with the Burroughs, Towns, and Pariſhes therein (except ſuch as are hereunder named)	nine.	9
The City of *Norwich*,	three.	3
The Town of *Lynne*,	one.	1
The Town of *Yarmouth*,	one.	1
The County of *Lincoln*, with the Burroughs, Towns, and Pariſhes therein (except the City of *Lincoln*, and the town of *Boſton*)	eleven.	11
The City of *Lincoln*,	one.	1
The Town of *Boſton*,	one.	1
The County of *Rutland*, with the Burroughs, Townes, and Pariſhes therein,	one.	1

The

The County of *Huntington*, with the Burroughs, Townes and Pariſhes therein,	three.	3
The County of *Leiceſter*, with the Burroughs, Townes and Pariſhes therein (except *Leiceſter*)	five.	5
The Town of *Leiceſter*,	one.	1
The County of *Nottingham*, with the Burroughs, Towns and Pariſhes therein (except *Nottingham*)	foure.	4
The Town of *Nottingham*,	one.	1
The County of *Derby*, with the Burroughs, Townes, and Pariſhes therein (except *Derby*)	five.	5
The Town of *Derby*,	one.	1
The County of *Stafford*, with the City of *Lichfield*, the Burroughs, towne and Pariſhes therein,	ſix.	6
The County of *Salop*, with the Burroughs, towns, and Pariſhes therein (except *Shrewsbury*)	ſix.	6
The Town of *Shrewesbury*,	one.	1
The County of *Cheſter*, with the Burroughs, townes, and Pariſhes therein (except *Cheſter*)	five.	5
The City of *Cheſter*,	two.	2
The County of *Lancaſter*, with the Burroughs, townes, and Pariſhes therein (except *Mancheſter*)	ſix.	6
The town of *Mancheſter*, and the Pariſh,	one.	1
The County of *Yorke*, with the Burroughs, towns, and Pariſhes, therein, except ſuch as are here under named,	fifteen.	15

The

The City and County of the City of *Yorke*,	three.]	3
The Town and County of *Kingſton* upon *Hull*,	one.]	1
The town and Pariſh of *Leeds*,	one.]	1
The County *Palatine* of *Dureſme*, with the Burroughs, towns, and Pariſhes therein, except *Dureſme* and *Gateſide*,	three.	3
The City of *Dureſme*,	one.]	1
The County of *Northumberland*, with the Burroughs, towns and Pariſhes therein, except ſuch as are here under named,	three.	3
The Town and County of *Newcaſtle* upon *Tyne*, with *Gateſide*,	two.	2
The Town of *Berwicke*,	one.]	1
The County of *Cumberland*, with the Burroughs, towns, and Pariſhes therein,	three.	3
The County of *VVeſtmerland*, with the Burroughs, towns and Pariſhes therein,	two.	2
The Iſle of *Angleſey* (with the Pariſhes therein)	two.]	2
The County of *Brecknock*, with the Burroughs, towns, and Pariſhes therein,	three.	3
The County of *Cardigan*, with the Burroughs and Pariſhes therein,	three.	3
The County of *Caermarthen*, with the Burroughs and Pariſhes therein,	three.	3
The County of *Carnarvon*, with the Burroughs and Pariſhes therein,	two.	2

The

The County of *Denbigh*, with the Burroughs and Parishes therein, two.	2
The County of *Flint*, with the Burroughs and Parishes therein, one.	1
The County of *Monmouth*, with the Burroughs and Parishes therein, foure.	4
The County of *Glamorgan*, with the Burroughs and Parishes therein, foure.	4
The County of *Merioneth*, with the Burroughs and Parishes therein, two.	2
The County of *Mountgomery*, with the Burroughs and Parishes therein, three.	3
The County of *Radnor*, with the Burroughs and Parishes therein, two.	2
The County of *Pembroke*, with the Burroughs, Towns and Parishes therein, foure.	4

Provided

Provided, That the first or second Representative may (if they see cause) assigne the remainder of the foure hundred Representors, (not hereby assigned) or so many of them as they shall see cause for, unto such Counties as shall appear in this present distribution to have lesse then their due proportion. Provided also, That where any Citie or Burrough to which one Representor or more is assign'd shall be found in a due proportion, not competent alone to elect a Representor, or the number of Representors assign'd thereto, it is left to future Representatives to assigne such a number of Parishes or Villages neare adjoyning to such City, or Burrough, to be joyned therewith in the Elections, as may make the same proportionable.

3. That the people do of course choose themselves a Representative once in two yeares, and shall meet for that purpose upon the first Thursday in every second May by eleven of of Clock in the morning, and the Representatives so chosen to meet upon the second Thursday in June following at the usuall place in Westminster, or such other place as by the foregoing Representative, or the Councell of State in the intervall, shall be from time to time appointed and published to the People, at the least twenty daies before the time of Election. And to continue their Session there or elsewhere untill the second Thursday in December following, unlesse they shall adjourne, or dissolve themselves sooner, but not to continue longer. The Election of the first Representative to be on the first Thursday in May, 1649. And that, and all future Elections to be according to the rules prescribed for the same purpose in this Agreement, viz.

1. That the Electors in every Division, shall be Natives, or Denizons of England, not persons receiving Almes, but such as are assessed ordinarily, towards the reliefe of the poore; not servants to, and receiving wages from any particular person. And in all Elections, (except for the Universities,) they shall be men of one and twenty yeares old, or upwards, and house-keepers, dwelling within

within the Deviſion for which the Election is provided, That untill the end of ſeven yeares next enſuing the time herein limited for the end of this preſent Parliament, no perſon ſhall be admitted to, or have any hand or voice in ſuch Elections, who hath adhered unto, or aſſiſted the *King* againſt the *Parliament*, in any the late Warres, or Inſurrections, or who ſhall make, or joyne in, or abet any forcible oppoſition againſt this Agreement.

2. That ſuch perſons and ſuch only, may be elected to be of the Repreſentative, who by the rule aforeſaid are to have voice in Elections in one place or other; provided, That of thoſe, none ſhall be eligible for the firſt or ſecond Repreſentatives, who have not voluntarily aſſiſted the *Parliament* againſt the *King*, either in perſon before the 14th. of *June* 1645. or elſe in Money, Plate, Horſe, or Armes, lent upon the Propoſitions before the end of *May* 1643. or who have joyned in, or abetted the treaſonable Engagement in *London*, in the year 1647. or who declared or engaged themſelves for a Ceſſation of Armes with the *Scots*, that invaded this Nation, the laſt Summer, or for complyance with the Actors in any the inſurrections, of the ſame Summer, or with the Prince of *Wales*, or his accomplices in the Revolted Fleete. And alſo provided, That ſuch perſons as by the rules in the preceding Article are not capable of electing untill the end of ſeven years, ſhall not be capable to be elected untill the end of foureteen years, next enſuing. And we do deſire and recommend it to all men, that in all times the perſons to be choſen for this great truſt, may be men of courage, fearing God, and hating covetouſneſſe, and that our

Repreſentatives would make the beſt Proviſions for that end.

3 That who ever, by the two rules in the next preceding Articles, are incapable of Election, or to be elected, ſhall aſſume to vote in, or be preſent at ſuch Elections for the firſt or ſecond Repreſentative, or being elected ſhall preſume to ſit or vote in either of the ſaid Repreſentatives, ſhall incur the pain of confiſcation of the moyety of his Eſtate, to the uſe of the publike, in caſe he have any Eſtate viſible, to the value of fifty pounds. And if he have not ſuch an Eſtate, then ſhall incur the pain of impriſonment, for three months; And if any perſon ſhall forcibly oppoſe, moleſt, or hinder the people, (capable of electing as aforeſaid) in their quiet and free Election of Repreſentors, for the firſt Repreſentative, then each perſon ſo offending ſhall incur the penalty of confiſcation of his whole Eſtate, both reall and perſonall; and (if he have not an Eſtate to the value of fifty pounds,) ſhall ſuffer impriſonment during one whole year without Bayle, or mainprize. Provided, That the Offender in each ſuch caſe, be convicted within three Months next after the committing of his offence, And the firſt Repreſentative is to make further proviſion for the avoyding of theſe evills in after Elections.

4 That to the end, all Officers of State may be certainly accomptable, and no factions made to maintain corrupt intereſts, no Member of a Counſel of State, nor any Officer of any ſalary forces in Army, or Gariſon, nor any Treaſurer or Receiver of publique monies, ſhall (while ſuch) be elected to be of a Repreſentative. And in caſe any ſuch Election ſhall be, the ſame to be void. And

in

in case any Lawyer shall be chosen of any Representative, or Councel of State, then he shall be uncapable of practice as a Lawyer, during that trust.

5 For the more convenient Election of Representatives, each County wherein more then three Representors are to be chosen, with the Townes Corporate and Cities, (if there be any) lying within the compasse thereof, to which no Representors are herein assigned, shall be divided by a due proportion into so many, and such parts, as each part may elect two, and no part above three Representors; For the setting forth of which Divisions, and the ascertaining of other circumstances hereafter expresst, so as to make the Elections lesse subject to confusion, or mistake, in order to the next Representative, *Thomas* Lord *Grey* of *Grooby*, Sir *John Danvers*, Sir *Henry Holcroft*, Knights; *Moses Wall* Gentleman, *Samuel Moyer*, *John Langley*, *William Hawkins*, *Abraham Babington*, *Daniel Taylor*, *Mark Hilsley*, *Richard Price*, and Col. *John White*, Citizens of *London*, or any five, or more of them are intrusted to nominate and appoint under their Hands and Seales, three or more fit persons in each County, and in each Citie, and Borough, to which one Representor or more is assigned to be as Commissioners for the ends aforesaid, in the respective Counties, Cities, and Burroughs, and by like writing under their Hands and Seales shall certifie into the Parliament Records, before the fourteenth day of *February* next, the names of the Commissioners so appointed for the respective Counties, Cities, and Burroughs; which Commissioners or any three, or more of them, for the respective Counties, Cities, and Burroughs, shall before the end of *February* next, by writing under their Hands and Seales,

appoint two fit and faithfull persons, or more in each Hundred, Lath, or Wapentake, within the respective Counties, and in each Ward, within the City of *London*, to take care for the orderly taking of all voluntary subscriptions to this Agreement by fit persons to be imploy'd for that purpose in every Perish who are to returne the subscriptions so taken to the persons that imployed them, (keeping a transcript thereof to themselves,) and those persons keeping like Transcripts to return the Originall subscriptions to the respective Commissioners, by whom they were appointed, at, or before the fourteenth of *Aprill* next, to be registred and kept in the County Records, for the said Counties respectively, and the subscriptions in the City of *London*, to be kept in the chief Court of Record for the said City. And the Commissioners for the other Cities and Borroughs respectively, are to appoint two or more fit persons in every Parish within their Precincts to take such subscriptions, and (keeping transcripts thereof) to return the Originalls to the respective Commissioners by the said fourteenth of *Aprill* next, to be registred and kept in the chief Court within the respective Cities and Burroughs. And the same Commissioners, or any three, or more of them, for the severall Counties, Cities, and Boroughs, respectively, shall, where more then three Representors are to be chosen, divide such Counties (as also the City of *London*) into so many, and such parts as are aforementioned, and shall set forth the bounds of such divisions, and shall in every County, City, and Borough (where any Representors are to be chosen) and in every such division as aforesaid within the City of *London*, and within

within the ſeverall Counties ſo divided, reſpectively, appoint one certaine place wherein the people ſhall meet for the choiſe of their Repreſentors, and ſome one fit Perſon or more inhabiting within each Borough, City, County, or Diviſion, reſpectively, to be preſent at the time and place of Election, in the nature of Sheriffes to regulate the Elections, and by Pole, or otherwiſe, clearly to diſtinguiſh and judge thereof, and to make returne of the Perſon or Perſons Elected as is hereafter expreſt, and ſhall likewiſe in writing under their hands and Seales, make Certificates of the ſeverall Diviſions (with the bounds thereof) by them ſet forth, and of the certaine places of meeting, and Perſons, in the nature of Sheriffes appointed in them reſpectively as aforeſaid, and cauſe ſuch Certificates to be returned into the Parliament Records before the end of *April* next, and before that time ſhall alſo cauſe the ſame to be publiſhed in every Pariſh within the Counties, Cities, and Boroughs reſpectively, and ſhall in every ſuch Pariſh likewiſe nominate and appoint (by Warrant under their hands and Seals) one Truſty perſon, or more, inhabiting therein, to make a true liſt of al the Perſons within their reſpective Pariſhes, who according to the rules aforegoing are to have voyce in the Elections, and expreſſing, who amongſt them are by the ſame rules capable

Memorandum, *That the Commiſſioners for the reſpective Counties, Cities, and Boroughs, are to returne a Computation of the number of Subſcribers in the ſeverall Pariſhes unto the Truſtees herein named before the end of* April *next, at ſuch place, and in ſuch forme as the ſaid Truſtees, or any five or more of them ſhall direct.*

capable of being Elected, and ſuch Liſt (with the ſaid Warrant) to bring in, and returne at the time and place of Election, unto the Perſon appointed in the nature of Sheriffe, as aforeſaid, for that Borough, City, County, or Diviſion reſpectively; which Perſon ſo appointed as Sheriffe being preſent at the time and place of Election; or in caſe of his abſence by the ſpace of one houre after the time limited for the peoples meeting, then any Perſon preſent that is eligible, as aforeſaid, whom the people then and there aſſembled ſhall chuſe for that end, ſhall receive and keep the ſaid Liſts, and admit the Perſons therein contained, or ſo many of them as are preſent unto a free Vote in the ſaid Election, and having firſt cauſed this Agreement to be publiquely read in the audience of the people, ſhall proceed unto, and regulate and keep peace and order in the Elections, and by Pole, or otherwiſe, openly diſtinguiſh and judge of the ſame: And thereof by Certificate, or writing under the hands and Seales of himſelfe, and ſix or more of the Electors (nominating the Perſon or Perſons duly Elected) ſhall make a true returne into the Parliament Records, within one and twenty dayes after the Election (under paine for default thereof, or for making any falſe Returne to forfeit one hundred pounds to the Publique uſe,) And ſhall alſo cauſe Indentures to be made, and interchangeably ſealed and delivered betwixt himſelfe, and ſix or more of the ſaid Electors on the one part, and the Perſons, or each Perſon Elected ſeverally on the other part, expreſſing

ſing their Election of him as a Repreſentor of them, according to this Agreement, and his acceptance of that truſt, and his promiſe accordingly to performe the ſame with faithfulneſſe, to the beſt of his underſtanding and ability, for the glory of God, and good of the people.

This courſe is to hold for the firſt Repreſentative, which is to provide for the aſcertaining of theſe Circumſtances in order to future Repreſentatives.

4 That one hundred and fifty Members at leaſt be alwaies preſent in each ſitting of the Repreſentative, at the paſſing of any Law, or doing of any Act, whereby the people are to be bound; ſaving, That the number of ſixty may make an Houſe for Debates, or Reſolutions that are preparatory thereunto.

5 That each Repreſentative ſhall within twenty dayes after their firſt meeting appoint a Councell of State for the managing of Publique Affaires, untill the tenth day after the meeting of the next Repreſentative, unleſſe that next Repreſentative thinke fit to put an end to that truſt ſooner. And the ſame Councell to Act, and proceed therein, according to ſuch Inſtructions and limitations as the Repreſentative ſhall give, and not otherwiſe.

6 That in each intervall betwixt Bienniall Repre-

preſentarives, the Councell of State (in caſe of imminent danger, or extreame neceſſity) may ſummon a Repreſentative to be forthwith choſen, and to meet; ſo as the Seſſion thereof continue not above foureſcore dayes, and ſo as it diſſolve, at leaſt, fifty dayes before the appointed time for the next Bienniall Repreſentative, and upon the fiftyeth day ſo preceeding it ſhall diſſolve of courſe, if not otherwiſe diſſolved ſooner.

7 That no Member of any Repreſentative be made either Receiver, Treaſurer, or other Officer, during that imployment, ſaving to be a Member of the Councell of State.

8 That the Repreſentatives have, and ſhall be underſtood, to have, the Supreame truſt in order to the preſervation and Government of the whole, and that their power extend, without the conſent or concurrence of any other Perſon or Perſons, to the erecting and aboliſhing of Courts of Juſtice, and publique Offices, and to the enacting, altering, repealing, and declaring of Lawes, and the higheſt and finall Judgement, concerning all Naturall or Civill things, but not concerning things Spirituall or Evangelicall; Provided, that even in things Naturall and Civill theſe ſix particulars next following, are, and ſhall be underſtood to be excepted, and reſerved from our Repreſentatives, *viz.*

1 We doe not impower them to impreſt or conſtraine any Perſon to ſerve in Forraigne Warre either by Sea or Land, nor for any Millitary Service within the KINGDOME, ſave that they may take order for the

the forming, training and exercising of the people in a Military way to be in readineſſe for reſiſting of Forrain Invaſions, ſuppreſſing of ſuddain Inſurrections, or for aſſiſting in execution of Law; and may take order for the imploying and conducting of them for thoſe ends; provided, That even in ſuch caſes none be compellable to goe out of the County he lives in, if he procure another to ſerve in his roome.

2. That after the time herein limited for the commencement of the firſt Repreſentative, none of the people may be at any time queſtioned for any thing ſaid or done in relation to the late Warres, or publique differences, otherwiſe then in execution or purſuance of the determinations of the preſent Houſe of Commons againſt ſuch as have adhered to the King, or his intereſt againſt the people: And ſaving that Accomptants for publique monies received, ſhall remaine accomptable for the ſame.

3. That no ſecurities given, or to be given by the Publique Faith of the Nation, nor any engagements of the Publique Faith for ſatisfaction of debts and dammages, ſhal be made void or invalid by the next, or any future Repreſentatives; except to ſuch Creditors, as have, or ſhall have juſtly forfeited the ſame; and ſaving, That the next Repreſentative may confirme or make null, in part, or in whole, all gifts of Lands, Monies, Offices, or otherwiſe, made by the preſent Parliament to any Member or Attendant of either Houſe.

4. That in any Lawes hereafter to be made, no perſon, by vertue of any tenure, grant, Charter, patent, degree or birth, ſhall be priviledged from ſubjection thereto, or from being bound thereby, as well as others.

5. That the Repreſentative may not give judgement upon any mans perſon or eſtate, where no Law hath before provided; ſave onely in calling to Account, and puniſhing publique Officers for abuſing or failing their truſt.

6. That no Repreſentative may in any wiſe render up, or

 give,

give, or take away any the Foundations of common Right, Liberty and Safety contained in this Agreement; nor levell mens Eſtates, deſtroy Propriety, or make all things common: And that in all matters of ſuch fundamentall concernment, there ſhall be a liberty to particular Members of the ſaid Repreſentatives to enter their diſſents from the *major* vote.

9. *Concerning Religion, we agree as followeth:*

1. It is intended, That Chriſtian Religion be held forth and recommended, as the publike Profeſſion in this Nation (which wee deſire may by the grace of God be reformed to the greateſt purity in Doctrine, Worſhip and Diſcipline, according to the Word of God.) The inſtructing of the People whereunto in a publike way (ſo it be not compulſive) as alſo the maintaining of able Teachers for that end, and for the confutation or diſcovery of Hereſie, Errour, and whatſoever is contrary to ſound Doctrine, is alowed to be provided for by our Repreſentatives; the maintenance of which Teachers may be out of a publike Treaſury, and wee deſire not by tithes. Provided, That Popery or Prelacy be not held forth as the publike way or profeſſion in this Nation.

2. That to the publique Profeſſion ſo held forth none be compelled by penalties or otherwiſe; but onely may be endeavoured to be wonne by ſound Doctrine, and the Example of a good Converſation.

3. That ſuch as profeſſe Faith in God by Jeſus Chriſt (however differing in judgement from the Doctrine, Worſhip or Diſcipline publikely held forth, as aforeſaid) ſhall not be reſtrained from, but ſhall be protected in the profeſſion of their Faith and exerciſe of Religion according to their Conſciences in any place (except ſuch as ſhall be ſet apart for the publick Worſhip, where wee provide not for them, unleſſe they have leave) ſo as they abuſe not this liberty to the civil injury of others, or to actuall diſturbance of the

the publique peace on their parts; nevertheleſſe it is not intended to bee hereby provided, That this liberty ſhall neceſſarily extend to Popery or Prelacy.

4. That all Lawes, Ordinances, Statutes, and clauſes in any Law, Statute, or Ordinance to the contrary of the liberty provided for in the two particulars next preceding concerning Religion be and are hereby repealed and made void.

10. It is agreed, That whoſoever ſhall by Force of Armes, reſiſt the Orders of the next or any future Repreſentative (except in caſe where ſuch Repreſentative ſhall evidently render up, or give, or take away the Foundations of common Right, Liberty and Safety contain'd in this Agreement) ſhall forthwith after his or their ſuch Reſiſtance loſe the benefit and protection of the Laws, and ſhall be puniſhable with Death, as an Enemy and Traitour to the Nation.

The form of ſubſcription for the Officers of the Army.

Of the things expreſt in this Agreement, The certain ending of this Parliament (as in the firſt Article) The equall or proportionable diſtribution of the number of the Repreſentators to be elected (as in the ſecond) The certainty of the peoples meeting to elect for Repreſentatives Bienniall, and their freedome in Elections with the certainty of meeting, ſitting and ending of Repreſentatives ſo elected (which are provided for in the third Article) as alſo the Qualifications of Perſons to elect or be elected (as in the firſt and ſecond particulars under the third Article) Alſo the certainty of a number for paſſing a Law or preparatory debates (provided for in the fourth Article) The matter of the fifth Article, concerning the Councel of State, and the ſixth concerning the calling, ſitting and ending of Repreſentatives extraordinary; Alſo the power of Repreſentatives, to be, as in the eighth Article, and limitted, as in the ſix reſerves next following the ſame; Likewiſe the ſecond

and third particulars under the ninth Article concerning Religion, and the whole matter of the tenth Article; (All these) we doe account and declare to be Fundamentall to our common Right, Liberty, and Safety; And therefore doe both agree thereunto, and resolve to maintain the same, as God shall enable us. The rest of the matters in this Agreement, wee account to be usefull and good for the Publike, and the particular circumstances of Numbers, Times and Places expressed in the severall Articles, we account not Fundamentall, but we finde them necessary to be here determined for the making the Agreement certain and practicable, and do hold those most convenient that are here set down, and therefore do positively agree thereunto.

A Declaration of the Generall Councell of Officers of the Army:

Concerning the Agreement by them framed in order to peace, and from them tendred to the People of England.

HAVING ever since the end of the first War longingly waited for some such settlement of the Peace and Government of this Nation, whereby the Common Rights, Liberties and safety thereof, might in future be more hopefully provided for, and therein something gained, which might be accounted to the present age and posterity (through the mercy of God) as a fruit of their labours, hazards and sufferings, that have engaged in the common cause, as some price of the bloud spilt, and ballance to the publique expence and damage sustained in the War, and as some due improvement of that successe, and blessing God hath pleased to give therein: And having not found any such Establishment assayed or endeavoured by those whose proper worke it was, but the many addresses and desires of our selves, and others, in that behalfe, rejected, discountenanced and opposed, and onely a corrupt closure endeavoured with the King, on termes, serving onely to his interest, and theirs that promoted the same; And being thereupon (for the avoidance of the evil thereof, and to make way for some better settlement) necessitated to take extraordinary wayes of remedy (when the ordinary were denied;) Now to exhibit our utmost endeavors for such a settlement, whereupon we, and other Forces, (with which the Kingdome hath so long beene burthened above measure, and whose continuance shall not be necessary for the immediate safety and quiet thereof) may with comfort to our selves, and honestly towards the publique, disband, and returne to our homes and callings; and to the end mens jealousies and feares may be removed concerning any intentions in us to hold up our selves in power, to oppresse or domineer over the people by the sword; And that all men may fully understand those grounds of Peace and Government whereupon (they may rest assured) We shall for our parts acquiesce; We have spent much time to pre-

pare, and have at last (through the blessing of God) finished a Draught of such a settlement, in the nature of an Agreement of the People for Peace amongst themselves; Which we have lately presented to the Honourable the Commons now assembled in Parliament, and doe herewith tender to the people of this Nation.

We shal not otherwise commend it, then to say, It contains the best and most hopefull Foundations for the Peace, & future wel Government of this Nation, that we can devise or think on, within the line of humane power, and such, wherin all the people interessed in this Land (that have not particular interests of advantage & power over others, divided from that which is common and publique) are indifferently and equally provided for, save where any have justly forfeited their share in that common interest by opposing it, and so rendred themselves incapable thereof (at least) for some time: And we call the Consciences of all that reade or hear it, to witnesse, whether wee have therein provided or propounded any thing of advantage to our selves in any capacity above others, or ought, but what is as good for one as for another: And therefore as we doubt not but that (the Parliament being now freed from the obstructing and perverting Councels of such Members, by many of whom a corrupt compliance with the Kings Interest hath beene driven on, and all settlement otherwise hath hitherto beene hindred) Those remaining worthy Patriots to whom we have presented the Agreement, will for the maine allow thereof, and give their seale of Approbation thereby; So we desire and hope, That all good People of *England* whose heart God shall make sensible of their, and our common concernment therein, and of the usefulnesse and sutablenesse thereof to the publique ends it holds forth, will cordially embrace it, and by subscription declare their concurrence, and accord thereto, when it shall be tendred to them, as is directed therein; wherein, if it please God wee shall finde a good Reception of it with the people of the Nation, or the Well-affected therein, We shall rejoyce at the hoped good to the Commonwealth, which (through Gods mercy) may redound therefrom, and that God hath vouchsafed thereby to make us

instrumentall

inſtrumentall for any good ſettlement to this poor diſtra-cted Country, as he hath formerly made us for the avoid-ing of evill. But if God ſhall (in his Righteous Judgement towards this Land) ſuffer the people to be ſo blinded as not to ſee their own common good and freedome, endea-voured to be provided for therein, or any to be ſo deluded (to their own and the publique prejudice) as to make op-poſition thereto, whereby the effect of it be hindred, we have, yet, by the preparation and tender of it diſcharged our Conſciences to God, and duty to our native Country in our utmoſt endeavours for a ſettlement, (to the beſt of our underſtandings) unto a juſt publique intereſt; And hope we ſhall be acquitted before God and good men, from the blame of any further troubles, diſtractions, or miſeries to the Kingdom, which may ariſe through the neglect or re-jection thereof, or oppoſition thereto.

Now whereas there are many good things in particular ters which our own Reaſons & obſervations or the Petiti-ons of others have ſuggeſted, and which we hold requiſite to be provided for in their proper time and way (as the ſetting of moderate Fines upon ſuch of the Kings party, as ſhal not be excepted for life, with a certain day for their coming in and ſubmitting, and an Act of pardon to ſuch as ſhall come in and ſubmit accordingly, or have already compounded, The ſetling of a Revenue for all neceſſary publique uſes, in ſuch a way as the people may be moſt eaſed, The aſſigning and aſcertayning of ſecurities for Souldiers Arrears, and for publique Debts and Damages. The taking away of Tithes, and putting that maintenance which ſhall be thought competent for able Teachers to inſtruct the peo-ple, into ſome other way, leſſe ſubject to ſcruple or conten-tion, the clearing and perfecting of Accompts for all pub-lique Monies, the relieving of priſoners for Debt; the re-moving or reforming of other evills or inconveniencies in the preſent Lawes, and Adminiſtrations thereof, the re-dreſſe of abuſes, and ſupplying of Defects therein, the put-ting of all the Lawes and proceedings thereof into the Engliſh tongue, the reducing of the courſe of Law to more brevity and leſſe charge, the ſetling of Courts of Juſtice

and

and Record in each County or lesse Divisions of the Kingdome, and the erecting of Courts of Merchants for controversies in trading, and the like.) These and many other things of like forte being of a particular nature, and requiring very particular and mature consideration, with larger experience in the particular matters then we have, and much Caution, that by taking away of present Evills greater inconveniences may not ensue for want of other provisions in the room thereof, where it is necessary; and we (for our parts) being far from any Desire or thought to assume or exercise a Law-giving, or Judiciall power over the Kingdome, or to meddle in any thing save the fundamentall setling of that power in the most equall and hopefull way for Common Right, Freedom, and Safety (as in this Agreement) and having not meanes nor time for, nor the necessitie of some present generall settlement admitting the delay of such a consideration, as seems requisite in relation to such numerous particulars, we have purposely declined the inserting of such things into this Agreement. But (as we have formerly expressed our desires that way, so) when the matters of publique Justice, and generall settlement are over, we shall not be wanting (if needfull) humbly to recommend such particulars to the Parliament, by whom they may more properly, safely, and satisfactorily be provided for, and we doubt not but they will be so, such of them, at least, as are of more neare and present concernment, by this Parliament, and the rest by future Representatives in due time.

And thus we recommend for present the businesse of this Agreement without further addition to the best consideration of all indifferent and equall minded men, and commit the issue thereof (as of all our wayes and concernments) to the good pleasure of the Lord, whose will is better to us then our own, or any inventions of ours, who hath decreed and promised better things then we can wish or imagine, and who is most faithfull to accomplish them in the best way and season.

By the appointment of the Generall Counsell of Officers.

John Rushworth Secretary.

FINIS.